

When Violence Becomes Visceral

A Crisis of Personhood

On March 6, 1857, the Supreme Court of the United States delivered its decision in the Dred Scott vs. Sanford case, unequivocally confirming the status of people of African descent in modern history as not legally 'people'.

Scott, a slave who had resided with his master in free states before returning to the slave state of Missouri, petitioned the Court for his emancipation based on his time in the free states. The decision of the Court (7-2) was not with regards his right to emancipation but rather his right to petition itself. This ruling was based in the assertion that Scott was not, and was never meant to be, included as a citizen of the United States, and hence had no recourse to its laws and institutions.

The Scott case is not particular to U.S. history but finds its roots in Europe. In fact, in delivering its opinion, the Court explicitly states its allegiance to the English wisdom that Africans were not more than 'an ordinary article of merchandise and traffic, whenever a profit could be made by it':

...In no nation was this opinion here firmly fixed or more uniformly acted upon than by the English Government and English people. They not only seized them on the coast of Africa, and sold them or held them in slavery for their own use; but they took them as ordinary articles of merchandise to every country where they could make a profit on them, and were far more extensively engaged in this commerce, than any other nation in the world.

The opinion thus entertained and acted upon in England was naturally impressed upon the colonies they founded on this side of the Atlantic. And, accordingly, a negro of the African race was regarded by them as an article of property, and held, and bought and sold as such, in every one of the thirteen colonies which united in the Declaration of Independence, and afterwards formed the Constitution of the United States. The slaves were more or less numerous in the different colonies, as slave labor was found more or less profitable.

—Dred Scott vs John Sanford, 1857

This English, and indeed European, opinion was given free reign by their scientists and philosophers who proclaimed the blackness of Africans a sign of their debasement—of being without reason or soul. The manufacturing of debasement was a necessary condition for the moral and legal legitimization of people of African descent as non-people and hence transmutable into property. Indeed, the slave was a body-machine, reduced solely to her capacity for productive labour. Blackness was thus the heart of global capitalist expansion, allowing for the rendering of living beings into commodity things, into the means and objects of capital accumulation.

The Dred Scott decision—handed down by a markedly pro-slavery court and a clear harbinger of the Civil War—was a certain judgement on blackness and whiteness, and their relationship to property and personhood. But lurking in this decision is also a determination on the role of political borders in upholding property and personhood. For the Court's opinion, in effect, asserted that no border could affect the finality of non-personhood—could transmutate capital into person.⁽¹⁾

Over 110,000 people seeking refuge have managed to cross European borders and at least 437 have died trying. This year, on January 1, over 3,000 people seeking refuge in Europe crossed the border into Macedonia. The same day, Makedonski Železnici, the state-owned railway operator in Macedonia made about €95,000 in profit.⁽²⁾ While EU politicians rail against the 'migrant crisis' and the problem of border security, defense firms are making a killing—in all senses of the term—in bolstering Fortress Europe. While Teresa May decries the overburdening of UK resources by seemingly less deserving migrants, the gleeful expansion of private property continues unabated.

In the contemporary circumstance of migration, economic value is no longer

associated only with the capacity for labour. By virtue of being a suspect class of migrant—the refugee, the asylum-seeker, the 'illegal'—their very flesh becomes valuable. This not-yet-'legal' migrant gives the moral and economic legitimacy to the ever-intensifying security and surveillance, control and management architectures, so that value can be extracted from her beyond the expropriation of labour—through the mere detail of her flesh.

There is no migrant crisis, goes the refrain of the left, it is a crisis of borders. Indeed, political borders secure the interests of capital—as they did with Scott and as they do with 'migrants' of all classifications. But modern political borders are merely an attempt at manifesting who may stand before the law, and who stands outside of it—of who may be recognized as a person and who must be denied this status.

The blackness of the slave's body confirmed her as a non-person and hence outside the law. And the Dred Scott case demonstrated that no border could change this fundamental meaning of blackness in the eyes of Western power. To be black is to be suspect, no matter what borders one crosses or stays within. But as capital demands new sites to subsume into itself, the category of the degraded, of the suspect, expands outwards, gathering new bodies, new lives, into it. And so, just as the manufacturing of blackness as non-person assured, and continues to assure, the black body as capital, the manufacturing of the category of 'illegal' or not-yet-'legal' migrant guarantees her very flesh as accumulated wealth.

The dissolution of political borders can contribute little towards the possibility of liberation from this circumstance. Those women in the global south whose survival depends on their absolute subjection to productive labour whilst their compatriots may indulge in living, can attest to this.

The original border that makes the very existence of global capital possible is not a

political one but an ethical one—it is the border between persons and non-persons. From the declaration of terra nullius that justified the enclosure of indigenous land and the genocide of its peoples, to slavery and colonial settlement—it is this distinction that capital has relied upon in order to reproduce itself. Capital does not produce difference as much as it needs difference. It divides between morally valued and devalued existences (i.e. 'superior' vs. 'inferior' beings), in order to enable economic expropriation and accumulation (Yes, capitalism is about racial, not just class, difference!).

The crises confronting us today—from migration, climate change, extra-activism, and war to gentrification, austerity and policing—are all different manifestations of the same problem. The definition of this problem cannot be limited to the usual suspects of borders and nations, capital and class, or even race and patriarchy. They are all a consequence of a crisis of personhood. And in so far as 'personhood' is a modern legal artefact, the migrant crisis is the crisis of modernity.

No number of liberal appeals to humanity, human rights, or international law will achieve more than putting a band-aid on shattered glass. But equally, no number of left appeals to the destruction of capital and national borders will achieve the liberation that is sought after. For capitalism and the modern nation are predicated on the conception of personhood—and one cannot be exploded without exploding the other (yes, yes, yes, capitalism is about racial, not just class, difference!).

We need a decolonial praxis instead.

We need a praxis that shuns western scientism—the kind of thinking that pretends to be self- and universal-knowing—and cannot, or will not, consider valuable those forms of thinking and being that it cannot assimilate into itself; a praxis that forgoes the desire for certitude and mastery, and enables us to be vulnerable to ways of being that destabilise us—our sense of self and

of reality. Anything else is to simultaneously be coloniser and colonised.

The violence of colonisation is not merely that which has left tangible scars on lands, bodies, and lives. The violence of colonisation is of having destroyed many worlds, and of attempting to build a world in only one image. Centuries of resistance by people of other worlds has ensured that this colonial project will not be completed. But looking amongst us—activists, intellectuals, policy-makers, even the 'good' ones—we would not know it.

We see the perpetuation of colonial violence there but we misread it—we read it through the tools of our world, try to fix it with the tools of our world, when it is the very essence of our world that is being firmly rejected.

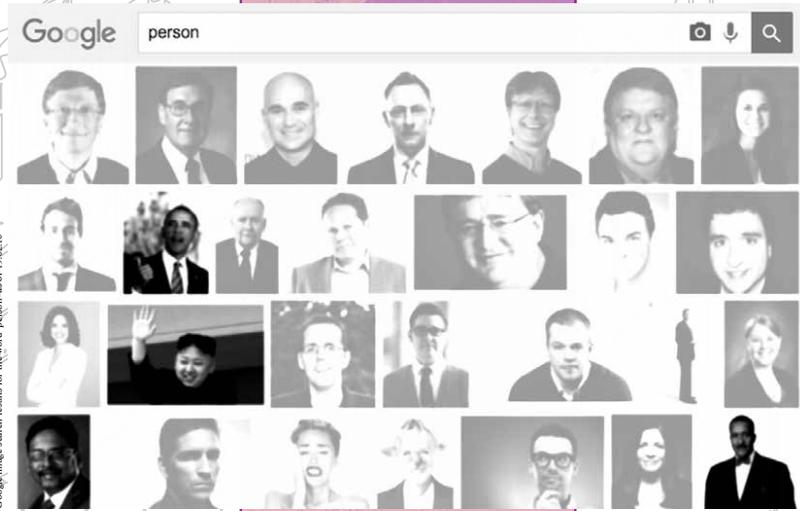
We seem to be in a moment where the experience of this violence is becoming more visceral; we are compelled by an urgency that feels more real. But the tools we are using to 'fix it' are broken. The harder and faster we work with them, the more ineffective they become. The urgency of our work needs to be directed not towards the fix, but towards gathering new, decolonial, tools.

Some years ago, an avowedly 'true socialist' academic (white European man who teaches in the U.S.), referred to this form of thinking as 'a hodgepodge of middle-class radicalism, reformism, postmodernism, and identity politics...third world feminism'...anything and everything, but not even a smidgen of Marxism'.

Perhaps He is right. Are we bothered? In the fight between narratives, ours shall be decolonial.

(1) The Dred Scott decision was effectively overturned by the adoption of the 14th Amendment that extended the rights and privileges of citizenship to all men, regardless of race or prior record of enslavement/servitude—by law, at least, if not even yet in experience and practice.

(2) Some months ago, it came to light that bus and rail fare in the country had been hiked up to 250%



Google image search results for the word 'person' as of 19/03/16